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PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 10/594,475
PCT Appl. No.: PCT/JP2005/005769
Applicant: Yoshiharu OHTA et al.
Filing Date: September 28, 2006
Group Art Unit: Unknown
Title: SEMICONDUCTOR POLISHING COMPOSITION
Docket No.: 2691-000058/US

**REQUEST FOR RECORDATION OF
INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

MAIL STOP PCT

February 20, 2007

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant attaches hereto an International Preliminary Examination Report which has been issued in connection with the above-identified application. Please make this document part of the prosecution history of the present application.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: 
Donald J. Daley, Reg. No. 34, 313

P.O. Box 8910
Reston, Virginia 20195
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Attachment: International Preliminary Examination Report

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

SAIKYO, Keiichiro
Shikishima Building
2-6, Bingomachi 3-chome
Chuo-ku, Osaka-shi
Osaka 5410051
JAPON



Date of mailing (*day/month/year*)
18 January 2007 (18.01.2007)

Applicant's or agent's file reference
62199CT

IMPORTANT NOTIFICATION

International application No.
PCT/JP2005/005769

International filing date (*day/month/year*)
28 March 2005 (28.03.2005)

Applicant

NITTA HAAS INCORPORATED et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
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TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 62199CT	FOR FURTHER ACTION.	See Form PCT/IPEA/416
International application No. PCT/JP2005/005769	International filing date (day/month/year) 28.03.2005	Priority date (day/month/year) 29.03.2004
International Patent Classification (IPC) or national classification and IPC H01L21/304		
Applicant NITTA HAAS INCORPORATED		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>5</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
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<input type="checkbox"/>	Box No. VII	Certain defects in the international application																							
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/JP	Authorized officer																								
Facsimile No.	Telephone No.																								

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005769

Box No. 1

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1-2, 5-12 as originally filed/furnished
 - pages* 4, 13 received by this Authority on 26.01.2006
 - pages* 3, 14 received by this Authority on 09.06.2006
 - ☒ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* 2 received by this Authority on 26.01.2006
 - nos.* 1, 6-7 received by this Authority on 09.06.2006
 - ☐ the drawings:
 - sheets _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☒ the claims, nos. 3-5
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (specify): _____
 - ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005769

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-2, 6-7

YES

Claims

NO

Inventive step (IS)

Claims

YES

Claims 1-2, 6-7

NO

Industrial applicability (IA)

Claims 1-2, 6-7

YES

Claims

NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 2001-26771 A (Fujimi Inc.), 30 January 2001, claims; column 5, lines 29 to 50; column 10, lines 5 to 25; and table 1 & US 6248144 B1

The inventions set forth in claims 1 to 2 and 6 to 7 do not involve an inventive step in the light of document 1 cited in the international search report. Document 1 indicates that the mixture has a pH level of 2 to 4. Therein, document 1 does not specifically delimit the pH level of the alkali solution; however, given that the composition obtained by combining the alkali solution and the mixture has a pH level of 9 to 12, it would be possible to employ an alkali solution that has a pH level of 12 to 14, as appropriate. Furthermore, document 1 does not stipulate that the mixture be added to the alkali solution. When combining an alkali solution and a mixture, however, there are only two alternatives as to which substance is added to the other substance, and it was common practice to add an alkali solution to a mixture or to add a mixture to an alkali solution (for example, refer to JP 2003-268354 A (Rodel Nitta Co.), 25 September 2003, claims, etc.) prior to the filing of the

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/005769

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

present application. Such being the case, a person skilled in the art could select either one of these two well-known alternatives, as appropriate.

Meanwhile, the applicant indicates that the "pH shock from mixing two solutions that have an large pH differential is significant." However, two solutions that have a large pH differential are mixed together in the invention disclosed in document 1, and thus the feature in question cannot be said to be significant.